

S/N 10/713,281

Response to Office Action Dated 05/30/2006

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REMARKS

A review of the claims indicates that:

- A) Claims 2—4, 7—10, 13—16, 19, 20, 22, 23, 25—27, 29, 30 and 32—34 remain in their original form.
- B) Claims 1, 5, 6, 11, 12, 17, 18, 21, 24, 28 and 31 are currently amended.

In view of the following remarks, Applicant respectfully requests reconsideration of the rejected claims and withdrawal of the rejections.

Traversal of Rejection of Independent Claim 1

Claim 1 recites adjustable aspect ratio optics, comprising:

- a first scanning optical element;
- a second scanning optical element to receive light from the first scanning optical element; and
- wherein at least one of the first scanning optical element and the second scanning optical element is configured to allow adjustment of an aspect ratio associated with sweeps of the first and second scanning optical elements, wherein the adjustment comprises shifting between use of first and second polygons, wherein the polygons have different numbers of facets and together form one scanning optical element.

Claim 1 has been amended to recite aspects from objected-to Claim 11. In particular, Claim 1 now recites, “wherein the adjustment comprises shifting between use of first and second polygons, wherein the polygons have different numbers of facets and together form one scanning optical element”.

A scanning optical element comprising first and second polygons having different numbers of facets (sides) is not seen in the prior art of record. Moreover, a scanning optical element configured to allow adjustment of an aspect ratio associated with sweeps by shifting between the first and second polygons is also

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1 not seen in the prior art of record. In particular, a review of the Bardmesser
2 reference (US Pat. No. 6,020,937) reveals that an optical element comprising first
3 and second polygons configured to shift between operation of the first and second
4 polygons is not disclosed, taught or suggested.

5 The Patent Office has not suggested that any of the prior art of record
6 discloses, teaches or suggests the elements in Claim 1, as amended. In fact, the
7 Patent Office has found allowable subject matter in all claims reciting an optical
8 element, such as a variable polygon, comprising first and second polygons.

9 Accordingly, the applicant respectfully requests that the Section 102
10 rejection of Claim 1 be withdrawn.

11 Claims 2—11 depend from Claim 1 and are allowable due to their
12 dependence from an allowable base claim. These claims are also allowable for
13 their own recited features that, in combination with those recited in Claim 1, are
14 neither disclosed nor suggested in references of record, either singly or in
15 combination with one another.

16 Claim 12 has been amended to recite aspects from objected-to Claim 17.
17 Accordingly, Claim 12 is in condition for allowance. Claim 17 has been amended
18 to recite other elements. Claim 18 has been amended slightly, to accommodate
19 the amendment of Claim 12.

20 Claims 13—20 depend from Claim 12 and are allowable due to their
21 dependence from an allowable base claim. These claims are also allowable for
22 their own recited features that, in combination with those recited in Claim 12, are
23 neither disclosed nor suggested in references of record, either singly or in
24 combination with one another.
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2 **Claim 21** has been amended to recite aspects from objected-to Claim 24.
3 Accordingly, Claim 21 is in condition for allowance. Claim 24 has been amended
4 to recite other elements.

5 **Claims 22—27** depend from Claim 21 and are allowable due to their
6 dependence from an allowable base claim. These claims are also allowable for
7 their own recited features that, in combination with those recited in Claim 21, are
8 neither disclosed nor suggested in references of record, either singly or in
9 combination with one another.

10 **Claim 28** has been amended to recite aspects from objected-to Claim 31.
11 Accordingly, Claim 28 is in condition for allowance. Claim 31 has been amended
12 to recite other elements.

13 **Claims 29—34** depend from Claim 28 and are allowable due to their
14 dependence from an allowable base claim. These claims are also allowable for
15 their own recited features that, in combination with those recited in Claim 28, are
16 neither disclosed nor suggested in references of record, either singly or in
17 combination with one another.

18 **Claim amendments and cancellations**

19 In the interests of promoting prosecution of this application, the Applicant
20 has amended a number of claims. This is not to be construed as a reflection of the
21 Applicant's opinion on the allowability of any of the subject matter contained in
22 these claims. Rather, the cancellations reflect the need to limit the Applicant's
23 burden in further prosecuting this case.

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Conclusion

The Applicant submits that all of the claims are in condition for allowance and respectfully requests that a Notice of Allowability be issued. If the Office's next anticipated action is not the issuance of a Notice of Allowability, the Applicant respectfully requests that the undersigned attorney be contacted for the purpose of scheduling an interview.

Respectfully Submitted,

Dated: 30 Aug 2006By: 

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